



United States Attorney's Office
District of Columbia

Channing D. Phillips
Acting United States Attorney

PRESS RELEASE

FOR IMMEDIATE RELEASE

Friday, December 18, 2009

USAO Public Affairs

(202) 514-6933

www.usdoj.gov/usao/dc

Local Doctor Found Guilty of Health Care Fraud

Washington, D.C. - Dr. Ehigiator O. Akhigbe, a 56-year-old medical doctor licensed in the District of Columbia, who practiced medicine under the name of Mercigab Medical Center and Pain Clinic, was found guilty on December 17, 2009, by a federal jury of one count of Health Care Fraud and sixteen counts of False Statements in Health Care Matters, Acting U.S. Attorney Channing D. Phillips announced today. At sentencing, Akhigbe faces a statutory maximum of ten years of imprisonment for the Health Care Fraud count and five years of imprisonment for each of the false statement counts. Akhigbe was already ordered to forfeit \$133,418 of proceeds derived from the health care fraud conviction. Akhigbe is scheduled to be sentenced on March 19, 2010, before visiting Senior U.S. District Court Judge Sterling Johnson, Jr.

According to the government's evidence at trial, during the period between December 2002 and May 2005, Akhigbe repeatedly submitted false claims to Amerigroup Corporation ("Amerigroup"), which contracted with the District of Columbia Medicaid Program to provide health care services to low income D.C. residents. Akhigbe, who prepared and submitted his own billing to Amerigroup, repeatedly submitted false claims in which he purported to have performed invasive surgical procedures on D.C. Medicaid patients that were never performed, billed for "ghost office" visits that never occurred, and continued to bill for a period of time after a minor or major procedure during which no additional bills could be submitted, in violation of Global Billing rules. To substantiate the false billing, Akhigbe created false progress notes indicating the dates, times and surgical procedures that he claimed to have performed and inserted the false progress notes into his patients' medical files.

During the trial, the defense claimed that a now deceased individual was responsible for preparing and submitting the false claims to Amerigroup. The defense called two individuals currently employed by Akhigbe, who testified that the deceased individual was responsible for the false billing. In rebuttal, the government was able to establish that neither the deceased individual nor the defense witnesses worked for the defendant during the relevant time.

"We are pleased with the verdict obtained in this case," said Acting U.S. Attorney Phillips. "Our efforts, however, do not end here. The U.S. Attorney's Office, the Federal Bureau of Investigation, and the District of Columbia Medicaid Fraud Control Unit remain committed to

uncovering Medicaid fraud and prosecuting health care professionals who abuse the public trust and enrich themselves by gaming the Medicaid system. We will continue to vigorously prosecute these individuals to eliminate this kind of blatant fraud and abuse."

In announcing the guilty verdict, Acting U.S. Attorney Phillips praised the outstanding efforts of current and former Special Agents of the Health Care Fraud Unit at the Federal Bureau of Investigation's Washington Field Office and Special Agent Sandy Adams and Auditor Clark Geiger of the D.C. Medicaid Fraud Control Unit. He also commended the efforts of Paralegal Specialists Diane Hayes, Tasha Harris, Mary Treanor, Carolyn Cody, Margaret McCabe, and Sarah Reis, Legal Assistants Sierra Tate and Jamasee Lucas, and Litigation Support Specialists Joseph Calvarese and Josh Ellen. Finally, he praised the work of Assistant U.S. Attorney Lionel Andre and Special Assistant U.S. Attorney from the D.C. Medicaid Fraud Control Unit, Jacqueline Schesnol, who indicted and prosecuted the case.

###

09-323